



CASE REVIEW / SPECIAL MEETING MINUTES

**August 8, 2007 at 4:00 P.M.
5th Floor Large Conference Room, City Hall
3900 Main Street, Riverside, CA**

Chairman Percy called the meeting to order at 4:00 p.m.

Roll Call

Brewer	Soubirous	Hubbard	Brandriff	Ward	Percy	Corral	Santore	Simpson
✓	✓ *	✓	✓	✓	✓	✓	✓	✓

✓ = Present A = Absent * = Left Early

Staff: Mario Lara, Interim CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Public Comments

There were no public comments on closed session items.

Closed Session

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:17 p.m. to review the following case(s) involving PUBLIC EMPLOYEE PERSONNEL MATTERS:

	<u>CPRC CASE NO.</u>	<u>IA CASE NO.</u>
1)	06-070	PC-06-12068
2)	06-048	PC-06-08032
3)	06-046	PC-06-11051
4)	07-028	PC-07-05038
5)	06-066	PC-06-11054

OPEN SESSION – 5:30 P.M.

Audio for the following proceedings is available on the CPRC website:

www.riversideca.gov/cprc

Copies can also be obtained by calling the CPRC office at (951) 826-5509.

Public Comment

Mary Shelton

Ms. Shelton commented on the Commission's lack of diversity. She also commented on the lack of outreach to the community and a "zero" complaint count in the Eastside as noted in the draft of the 2006 Annual Report.

Chairman Percy announced that the City has hired Kevin Rogan as manager for the CPRC and that Mr. Rogan would be starting on Monday (August 13). Chairman Percy also noted that a welcome reception would be scheduled for Tuesday, August 14 at 5:30 PM in the Mayor's Ceremonial Room. He invited and encouraged CPRC commissioners to attend.

Chairman Percy informed the Commission of Mr. Rogan has retired from the Pomona Police Department as a commander and has experience in that department's public outreach program, as well as their Internal Affairs Division. Mr. Rogan also has a juris doctorate and has been a practicing attorney on a part time basis.

2006 Annual Report

Chairman Percy recommended that the Commission wait to approve the Annual Report until Mr. Rogan has been on board a couple of months and all commissioners have had time review the draft report.

There was also discussion regarding findings comparisons. Commissioner Brandriff said he would like that information included in the annual report.

Commissioner Corral recommended that photos of new commissioners be included in the report.

Chairman Percy proceeded with public comment on this item.

Mary Shelton

Ms. Shelton spoke regarding including the statistical information regarding the findings of the City Manager when RPD and CPRC have conflicting findings.

ACM DeSantis said that perhaps a way to deal with the findings comparisons would be to determine whether or not an officer's actions were within policy and instead of comparing finding to finding.

Commissioner Brandriff disagreed and said he feels it is important for the public to know the disparity in the findings between RPD, CPRC, and the City Manager.

Chairman Percy said he believes both positions can be incorporated in the report, noting that the comparisons could be made and that there would then be an interpretive section so that the information could be understood.

Commissioner Hubbard said he thought it would be confusing to the lay person to note the comparisons in the report. Commissioner Brandriff disagreed.

ACM DeSantis said that staff will provide whatever data the Commission is seeking.

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
That discussion and approval of the 2006 Annual Report be continued to the October Regular Meeting	Simpson				

Brown Officer-Involved Death Case

Chairman Percy opened this item to public comment.

Mary Shelton

Ms. Shelton said that the Department's Taser policy at the time of the Brown OID is the same as Taser International's. She asked what the Department's practice is regarding tasing and recommended updated Taser training.

Ms. Shelton said she still has many questions regarding the case. She said that she is concerned by the many of the same issues about which Commissioner Ward is concerned.

Ms. Shelton concluded by stating that if the Commission is 100% sure of the majority report, it wouldn't matter what the minority report contains.

Dr. Deborah Wong

Dr. Wong said that she read Commissioner Ward's minority report and believes it identifies all the key issues. She noted that the minority report expressed concern that the majority report doesn't give enough consideration to witness accounts.

Dr. Wong concluded by saying she was saddened that the minority report is not the majority report.

Dr. Ron Bailey

Dr. Bailey said that he read Commissioner Ward's report, but felt that it doesn't speak to policing the mentally impaired or the training of officers in dealing with the mentally ill.

Michael Dunn

Mr. Dunn said that the two reports differ in their exploration of the issues. He said that he feels the Commission doesn't "put a good face on for the community" in terms of what it has presented and what it has done with its conclusion in the Brown OID.

Mr. Dunn also noted that new commissioners are being asked to vote on this case without the benefit of any training. He said that standards need to be set to determine who can participate and at what stage they can participate.

Commissioner Ward asked that Chairman Percy read a letter that had been given to him. Chairman Percy asked that the Commission decide. Commissioner Brandriff made the motion and Vice-Chair Corral seconded that the letter be read. The vote to read the letter was unanimous.

Pastor Milton Vincent (letter read by Chairman Percy)

Pastor Vincent asked that the Commission postpone its judgment until all information regarding the Brown OID is received. He said that the Commission should insist that a more thorough investigation be conducted before a decision is made.

After some discussion, the following motion and vote occurred:

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
Approve modifications made to date to the Brown OID conclusion page	Simpson	Corral	7	0	1

Additional discussion elicited the following motion and vote:

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
That Commissioner Ward's minority report, as presented, be attached to the Commission's public report, but does not preclude Commissioner Ward from adding to or modifying his minority report.	Brewer	Simpson	8	0	0

Following further discussion, the following motion and vote took place:

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
That the majority report, with the minority report attached, be accepted as the Commission's final report.	Hubbard	Simpson	3	4	1

Continued discussion elicited modifications to Section 6, Item 4, with the following motion and vote taking place:

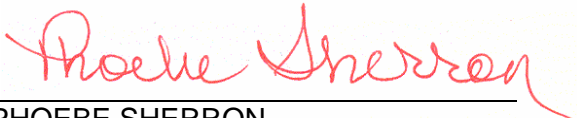
Motion for Approval	Motion	Second	Approve	Oppose	Abstain
Accept the additions of Subsections A & B to Section 6, Item 4	Brandriff	Simpson	5	0	3

After additional discussion, the following motion and vote took place:

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
That follow-up questions be posed to RPD	Ward	Simpson	7	0	1

The Commission adjourned at 8:15 p.m.

Respectfully submitted,



PHOEBE SHERRON
Sr. Office Specialist